

COPY

STATE OF ILLINOIS)
)
COUNTY OF COOK)

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STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

RECEIVED
JAN 31 2001

Illinois Commerce Commission
RAIL SAFETY SECTION

THE DEPARTMENT OF TRANSPORTATION
OF THE STATE OF ILLINOIS, for an on behalf
of the People of the State of Illinois,

- Petitioner

vs.

UNION PACIFIC RAILROAD COMPANY,
holding title as the Illinois & Wisconsin Rail Road
Company; and
UNKNOWN OWNERS

- Respondents

Petition for approval of the taking or damaging
of certain properties owned by a public utility in
Cook County, Illinois by exercising the right of
eminent domain

Case No.

TDI-0009

Parcel No. OD60201

OD60201PE

OD60201TE

PETITION FOR APPROVAL TO TAKE PROPERTY

TO THE ILLINOIS COMMERCE COMMISSION:

Petitioner, THE DEPARTMENT OF TRANSPORTATION of the State of Illinois, a
Department of the State Government of Illinois, by JAMES E. RYAN, Attorney General of the State
of Illinois, and Douglas G. Felder, Special Assistant Attorney General, pursuant to Section 102 of
the Eminent Domain Act of Illinois (735 ILCS 5/7-102) (West 1998), requests approval of the
Illinois Commerce Commission for the taking and/or damaging of certain properties owned by the
UNION PACIFIC RAILROAD COMPANY, holding title as the Illinois & Wisconsin Rail Road

DOCKETED

Company (the "Railroad"), a public utility subject to the jurisdiction of the ILLINOIS COMMERCE COMMISSION.

1 Under Articles 2 and 4 of the Illinois Highway Code, (605 ILCS 5/2-101; 5/2-220; and, §§5/4-101 through 5/4-512, West 1998), Petitioner is engaged in the construction and improvement of the structures and highways at U.S. Route 14 (Northwest Highway) from Lake-Cook Road to Plum Grove Road in Cook County, Illinois.

2 Under the Illinois Highway Code, U.S. Route 14 (FAP 305) is a part of and included in the State Highway System.

3 Section 4-501 of the said Illinois Highway Code (605 ILCS 5/4-501, West 1998) provides:

"The Department, or its name, or any county may acquire the fee simple title, or such lesser interest as may be desired, to any land, rights or other property necessary for the construction, maintenance or operation of State highways, or necessary for locating, relocating, extending, widening or straightening any State highway, or necessary for locating, relocating, extending, widening or straightening an existing street or for laying out, establishing or opening a new street within the corporate limits of any municipality which has been designated by the Department as a street to form a part of or to connect with a State highway leading up to the corporate limits of such municipality, or necessary for any other purpose or use contemplated by this Code by purchase or by the exercise of the right of eminent domain under the eminent domain laws of this State and the Department shall not be required, in any case, to furnish bond."

4 The improvement of U.S. Route 14 from Lake-Cook Road to Plum Grove Road is a public improvement project. The improvement project constitutes a public purpose, namely construction and improvement of the roadway, structures and intersections at or adjacent to U.S. Route 14 in Cook County.

5 The Railroad is subject to the jurisdiction of the Commission.

6 The Railroad is title holder to certain real property, said property being located in Cook County, the legal description of which is attached hereto and marked as Exhibit A. This real property is located at or adjacent to U.S. Route 14 in Cook County and the Petitioner has deemed it necessary to improve the roadways, structures and intersections at U.S. Route 14 from Lake-Cook Road to Plum Grove Road in Cook County, and improve vehicular traffic and safety of the motoring public. A copy of the Department's Plat of Highways depicting the property sought to be acquired by the Petitioner is shown on Exhibit B attached hereto.

7 Petitioner has been authorized to acquire fee simple title to Parcel OD60201, a permanent easement title to Parcel OD60201PE, and a temporary construction easement for three years or the completion of construction, whichever occurs first, as to Parcel OD60201TE legally described in Exhibit A, and it is necessary for Petitioner to acquire said property for the above-described highway construction and improvement of the structures at U.S. Route 14 in Cook County for the use of the People of the State of Illinois.

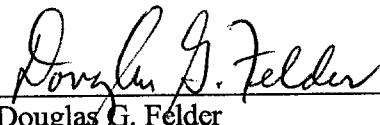
8 The terms of the compensation to be paid by the Petitioner for the property hereinafter described cannot be agreed upon between the Petitioner and the Railroad although Petitioner has attempted to effect such an agreement, or the Petitioner has not otherwise been able to acquire title to the property . Petitioner, therefore, is authorized and desires to proceed to acquire the property under the eminent domain laws of this State.

9 Section 7-102 of the Code of Civil Procedure (735 ILCS 5/7-102) requires Petitioner to obtain approval of the Commission prior to the taking of the Railroad's property described in Exhibit A or the damaging of any remainder property.

WHEREFORE, Petitioner, THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, requests the Commission to approve the taking or damaging of the above described real property of the Railroad by the exercise of the right of eminent domain.

THE DEPARTMENT OF TRANSPORTATION
OF THE STATE OF ILLINOIS, for and
on behalf of the People of the State of Illinois

By: JAMES E. RYAN
Attorney General of Illinois

By: 

Douglas G. Felder
Special Assistant Attorney General

Douglas G. Felder
Douglas G. Felder, P.C.
Special Assistant Attorney General
20 South Clark Street
Suite 2000
Chicago, Illinois 60603
312/634-3509

AFFIDAVIT OF SERVICE

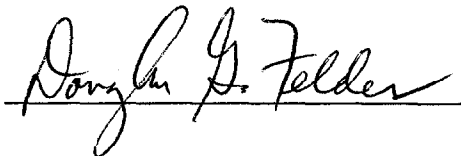
Douglas G. Felder, being first duly sworn, on oath, states that he served the foregoing Petition upon the following addresses at their respective addresses set forth:

VIA CERTIFIED MAIL AND U.S. MAIL

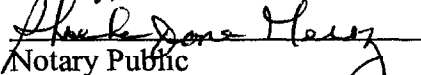
Illinois Commerce Commission
527 East Capital
Springfield, Illinois 62708
(original and three copies)

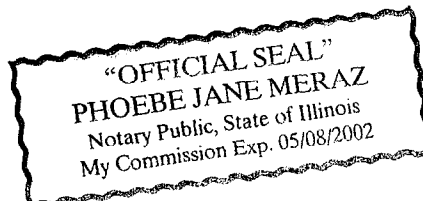
Union Pacific Railroad Company
holding title as Illinois & Wisconsin Rail Road Company
1800 Farnham Street
Omaha, NE 68102
Attention: James Harrel

by enclosing a copy of said Petition, together with Exhibits A and B to said Petition, in an envelope correctly addressed with sufficient first class postage affixed thereto, sealed and deposited said envelopes in the U.S. Mail Chute at Chicago, Illinois, before 5:00 p.m. on the 15 day of January, 2001



SUBSCRIBED and SWORN to
before me this 15th day of
January, 2001


Notary Public



Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : OD60201-A
Sta. 13+138.680 To Sta. 13+333.680
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

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PLATS & LEGAL

Index No. 02-08-500-002 (pt.)

That part of the original 99 foot wide railroad right of way situated in the Northwest Quarter of Section 8, Township 42 North, Range 10 East of the Third Principal Meridian as conveyed by deeds dated December 15, 1856 and recorded January 8, 1857 in Book 122 Pages 254 and 256, except that part conveyed for road purposes to Cook County according to document numbers 7992639 and 7341842, in Cook County, Illinois, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 8; thence on an assumed bearing of South 0 degrees 09 minutes 07 seconds East along the west line of the Northwest Quarter of said Section 8, a distance of 767.57 feet (767.20 feet, recorded) to the northeasterly railroad right of way line recorded January 8, 1857 in Book 122 Pages 254 and 256; thence South 55 degrees 27 minutes 16 seconds East along the said northeasterly railroad right of way line, a distance of 554.53 feet to the northwesterly corner of a permanent easement for highway purposes recorded May 26, 1989 as document number 89240893, being also the point of beginning; thence South 52 degrees 14 minutes 45 seconds East along the southwesterly line of said permanent easement for highway purposes, being also the southwesterly right of way line of Northwest Highway (U.S. Route 14), a distance of 86.39 feet; thence South 35 degrees 28 minutes 09 seconds West, 13.84 feet; thence South 54 degrees 31 minutes 51 seconds East, 274.66 feet; thence easterly 207.06 feet on a curve to the left having a radius of 2041.50 feet, the chord of said curve bears South 57 degrees 26 minutes 11 seconds East, 206.97 feet; thence South 66 degrees 54 minutes 47 seconds East, 80.25 feet to the said northeasterly railroad right of way line according to deeds recorded January 8, 1857 in Book 122 Pages 254 and 256, being also the southwesterly right of way line of Northwest Highway (U.S. Route 14) as condemned by Condemnation Case Number 89 L 50273; thence North 55 degrees 27 minutes 16 seconds West along the said northeasterly railroad right of way line, being also the said southwesterly right of way line of Northwest Highway (U.S. Route 14), a distance of 98.91 feet to the southeasterly corner of said permanent easement for highway purposes recorded as document number 89240893; thence continuing North 55 degrees 27 minutes 16 seconds West along the said northeasterly railroad right of way line recorded in Book 122 Pages 254 and 256, a distance of 547.23 feet (547.26 feet, recorded) to the point of beginning.

Said parcel containing 0.252 acre, more or less, of which 0.059 acre, more or less, were previously dedicated or used for highway purposes.

Route : F.A.P. 305 (U.S. Route 14) RECEIVED
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95 AUG 12 1999
Parcel : OD60201-B
Sta. 9+927.860 To Sta. 9+934.323 LATS & LEGAL
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 02-08-500-002 (pt.)

That part of the Illinois & Wisconsin Rail Road Company right of way situated in the Northwest Quarter of Section 8, Township 42 North, Range 10 East of the Third Principal Meridian, as conveyed by deed recorded April 28, 1892 in Book 3762 Page 607, except that part conveyed for road purposes to Cook County according to document numbers 7992639 and 7341842, in Cook County, Illinois, described as follows:

Beginning at the intersection of the northeasterly railroad right of way line recorded April 28, 1892 in Book 3762 Page 607 with the northwesterly right of way line of Dundee Road (Illinois Route 68); thence on an assumed bearing of South 66 degrees 07 minutes 48 seconds West along the northwesterly right of way line of Dundee Road (Illinois Route 68), a distance of 22.64 feet; thence North 17 degrees 25 minutes 52 seconds West, a distance of 32.46 feet to the northeasterly railroad right of way line recorded April 28, 1892 in Book 3762 Page 607; thence South 54 degrees 22 minutes 20 seconds East along the said northeasterly railroad right of way line, a distance of 37.44 feet to the point of beginning.

Said parcel containing 0.008 acre, more or less, or 365 square feet, more or less.

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ROUTE : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : 0D60201P.E.-A
Sta. 10+489.990 To Sta. 10+749.890
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 01-01-500-002(pt.)

That part of the original 99 foot wide railroad right of way situated in the Northeast Quarter of Section 1, Township 42 North, Range 9 East of the Third Principal Meridian, as conveyed to the Illinois & Wisconsin Rail Road Company by deed dated July 8, 1853 and recorded July 15, 1853 in Book 63 Page 456, in Cook County, Illinois, described as follows:

Commencing at the point of intersection of the east line of the Northeast Quarter of said Section 1 with the northeasterly railroad right of way line recorded July 15, 1853 in Book 63 Page 456; thence on an assumed bearing of North 55 degrees 24 minutes 09 seconds West along the said northeasterly railroad right of way line, a distance of 22.48 feet; thence North 55 degrees 27 minutes 52 seconds West along the said northeasterly railroad right of way line, a distance of 804.05 feet to the point of beginning; thence South 34 degrees 49 minutes 58 seconds West, 5.45 feet; thence North 55 degrees 23 minutes 12 seconds West, 459.31 feet; thence South 34 degrees 32 minutes 08 seconds West, 4.92 feet to a point 9.84 feet normally distant Southwesterly of the said northeasterly railroad right of way line; thence North 55 degrees 27 minutes 52 seconds West along a line 9.84 feet normally distant Southwesterly of and parallel with the said northeasterly railroad right of way line, a distance of 393.66 feet; thence North 34 degrees 32 minutes 08 seconds East, 9.84 feet to the said northeasterly railroad right of way line; thence South 55 degrees 27 minutes 52 seconds East along the said northeasterly railroad right of way line, a distance of 853.00 feet to the point of beginning.

Said permanent easement containing 0.144 acre, more or less.
Said permanent easement to be used for highway purposes.

Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : 0D60201P.E.-B
Sta. 1+943.864 To Sta. 1+958.394
Sta. 10+839.745 To Sta. 11+018.710
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 01-01-500-002 (pt.)
02-06-500-001

That part of the original 99 foot wide railroad right of way situated in the Northeast Quarter of Section 1, Township 42 North, Range 9 East of the Third Principal Meridian, as conveyed to the Illinois & Wisconsin Rail Road Company by deed dated July 8, 1853 and recorded July 15, 1853 in Book 63 Page 456, and that part of the original 99 foot wide railroad right of way situated in the West Half of the Northwest Quarter of Section 6, Township 42 North, Range 10 East of the Third Principal Meridian, as acquired by adverse possession since 1854, all in Cook County, Illinois, described as follows:

Beginning at the point of intersection of the west line of the Northwest Quarter of said Section 6 with the northeasterly railroad right of way line, as acquired by adverse possession since 1854; thence on an assumed bearing of South 55 degrees 24 minutes 09 seconds West along the said northeasterly railroad right of way line, a distance of 55.71 feet; thence South 20 degrees 33 minutes 10 seconds West, 102.05 feet to the southwesterly railroad right of way line as acquired by said adverse possession; thence North 55 degrees 24 minutes 09 seconds West along the said southwesterly railroad right of way line acquired by adverse possession and along the southwesterly railroad right of way line recorded July 15, 1853 in Book 63 Page 456, a distance of 102.90 feet; thence North 7 degrees 04 minutes 22 seconds East, 85.69 feet to a point 22.97 feet normally distant Southwesterly of the northeasterly railroad right of way line recorded July 15, 1853 in Book 63 Page 456; thence North 55 degrees 27 minutes 52 seconds West along a line 22.97 feet normally distant Southwesterly of and parallel with the said northeasterly railroad right of way line, a distance of 462.25 feet; thence North 34 degrees 32 minutes 08 seconds East, 22.97 feet to the said northeasterly railroad right of way line; thence South 55 degrees 27 minutes 52 seconds East along the said northeasterly railroad right of way line, a distance of 508.74 feet; thence South 55 degrees 24 minutes 09 seconds East along the said northeasterly railroad right of way line, a distance of 22.48 feet to the point of beginning.

Said permanent easement containing 0.521 acre, more or less, of which 0.137 acre, more or less, was previously dedicated or used for highway purposes.

Said permanent easement to be used for highway purposes.

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Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : 0D60201P.E.-C
Sta. 11+085.490 To Sta. 11+095.611
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 02-06-500-001

That part of the original 99 foot wide railroad right of way situated in the West Half of the Northwest Quarter of Section 6, Township 42 North, Range 10 East of the Third Principal Meridian, as acquired by adverse possession since 1854, in Cook County, Illinois, described as follows:

Commencing at the point of intersection of the west line of the Northwest Quarter of said Section 6 with the northeasterly railroad right of way line, as acquired by adverse possession since 1854; thence on an assumed bearing of South 55 degrees 24 minutes 09 seconds East along the said northeasterly railroad right of way line, a distance of 273.86 feet to the point of beginning; thence continuing South 55 degrees 24 minutes 09 seconds East along the said northeasterly railroad right of way line, a distance of 32.80 feet; thence South 34 degrees 35 minutes 51 seconds West, 21.32 feet; thence North 55 degrees 24 minutes 09 seconds West along a line parallel with the said northeasterly railroad right of way line, a distance of 32.80 feet; thence North 34 degrees 35 minutes 51 seconds East, 21.32 feet to the point of beginning.

Said permanent easement containing 0.016 acre, more or less.
Said permanent easement to be used for drainage purposes.

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ATS & LEGAL

Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : 0D60201P.E.-D
Sta. 11+279.980 To Sta. 13+343.340
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 02-06-500-002
02-07-500-001(pt.)
02-08-500-002(pt.)

AUG 12 1999

PLATS & LEGAL

That part of the original 99 foot wide railroad right of way situated in the West Half of the Northwest Quarter of Section 6, that part situated in the of the South Half of Section 6, that part situated in the East Half of the Northeast Quarter of Section 7 and that part situated in the Northwest Quarter of Section 8, except that part conveyed for road purposes to Cook County according to document numbers 7992639 and 7341842, all in Township 42 North, Range 10 East of the Third Principal Meridian, as conveyed to the Illinois & Wisconsin Rail Road Company by deed or acquired by adverse possession, in Cook County, Illinois, described as follows:

Commencing at the point of intersection of the north line of the Southwest Quarter of said Section 6, as staked and occupied, with the northeasterly railroad right of way line, as acquired by adverse possession since 1854; thence on an assumed bearing of South 55 degrees 24 minutes 09 seconds East along the said northeasterly railroad right of way line, a distance of 463.75 feet to the point of beginning; thence continuing South 55 degrees 24 minutes 09 seconds East along the said northeasterly railroad right of way line, a distance of 2325.33 feet to the east line of the Southwest Quarter of said Section 6; thence continuing South 55 degrees 24 minutes 09 seconds East along the said northeasterly railroad right of way line, a distance of 1863.93 feet to the south line of the Southeast Quarter of said Section 6; thence continuing South 55 degrees 24 minutes 09 seconds East along the northeasterly railroad right of way line as conveyed to the Illinois & Wisconsin Rail Road Company by deed recorded July 15, 1853 in Book 65 Page 434, a distance of 1354.24 feet to the east line of the Northeast Quarter of said Section 7; thence South 55 degrees 27 minutes 16 seconds East along the northeasterly railroad right of way line as conveyed by deeds recorded January 8, 1857 in Book 122 Pages 254 and 256, a distance of 554.53 feet to the northwesterly corner of a permanent easement for highway purposes recorded May 26, 1989 as document number 89240893; thence South 52 degrees 14 minutes 45 seconds East along the southwesterly line of said permanent easement for highway purposes, being also the southwesterly right

(Continued)

Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : OD60201P.E.-D
Sta. 11+279.980 To Sta. 13+343.340
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 02-06-500-002
02-07-500-001(pt.)
02-08-500-002(pt.)

AUG 12 1999

ATS & LEG

of way line of Northwest Highway (U.S. Route 14), a distance of 86.39 feet; thence South 35 degrees 28 minutes 09 seconds West, 13.84 feet; thence South 54 degrees 31 minutes 51 seconds East, 274.66 feet; thence easterly 207.06 feet on a curve to the left having a radius of 2041.50 feet, the chord of said curve bears South 57 degrees 26 minutes 11 seconds East, 206.97 feet; thence South 66 degrees 54 minutes 47 seconds East, 80.25 feet to the said northeasterly railroad right of way line according to deed recorded January 8, 1857 in Book 122 Pages 254 and 256, being also the southwesterly right of way line of Northwest Highway (U.S. Route 14) as condemned by Condemnation Case Number 89 L 50273; thence South 55 degrees 27 minutes 16 seconds East along the said northeasterly railroad right of way line, being also the said southwesterly right of way line of Northwest Highway (U.S. Route 14), a distance of 32.84 feet; thence North 66 degrees 54 minutes 38 seconds West, 113.18 feet; thence westerly 207.72 feet on a curve to the right having a radius of 2048.06 feet, the chord of said curve bears North 57 degrees 26 minutes 11 seconds West, 207.63 feet; thence North 54 degrees 31 minutes 51 seconds West, 274.66 feet; thence North 35 degrees 28 minutes 09 seconds East, 4.55 feet; thence North 55 degrees 20 minutes 47 seconds West, 2115.12 feet; thence South 34 degrees 34 minutes 26 seconds West, 3.18 feet; thence North 55 degrees 24 minutes 43 seconds West, 524.90 feet; thence North 34 degrees 34 minutes 26 seconds East, 11.45 feet; thence North 55 degrees 23 minutes 57 seconds West, 557.71 feet; thence South 34 degrees 45 minutes 31 seconds West, 10.17 feet; thence North 55 degrees 23 minutes 17 seconds West, 1279.46 feet; thence North 34 degrees 34 minutes 26 seconds East, 3.25 feet; thence North 55 degrees 24 minutes 05 seconds West, 984.32 feet; thence North 34 degrees 34 minutes 26 seconds East, 9.84 feet; thence North 55 degrees 25 minutes 53 seconds West, 722.50 feet; thence North 34 degrees 35 minutes 51 seconds East, 6.92 feet to the point of beginning.

Said permanent easement containing 2.460 acres, more or less.
Said permanent easement to be used for highway purposes.

Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : 0D60201P.E.-E
Sta. 13+433.289 To Sta. 13+454.852
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 02-08-500-002(pt.)

AUG 12 1999

ATS & LEGAL

That part of the Illinois & Wisconsin Rail Road Company right of way situated in the Northwest Quarter of Section 8, Township 42 North, Range 10 East of the Third Principal Meridian, as conveyed by deed dated December 15, 1856 and recorded January 8, 1857 in Book 122 Page 256, except that part conveyed for road purposes to Cook County according to document numbers 7992639 and 7341842, in Cook County, Illinois, described as follows:

Commencing at the intersection of the centerline of Lake Zurich Road, (also known as Ela Road), as indicated on Arthur T. McIntosh and Company's Parkview Acres, according to the plat thereof registered September 16, 1925 as Torrens document number 272402 with the southwesterly right of way line of Northwest Highway (U.S. Route 14) as condemned by Condemnation Case 89 L 50273; thence on an assumed bearing of South 55 degrees 27 minutes 16 seconds East along a line 42.14 feet (43.00 feet, recorded) normally distant Northeasterly of and parallel with the centerline of the main railroad line of the Illinois & Wisconsin Rail Road Company's right of way, being also the said southwesterly right of way line Northwest Highway (U.S. Route 14), a distance of 50.00 feet to the point of beginning; thence North 46 degrees 59 minutes 00 seconds East along a southeasterly right of way line of Northwest Highway (U.S. Route 14) according to said condemnation case, a distance of 51.57 feet (51.50 feet, recorded) to the previous northeasterly railroad right of way line recorded January 8, 1857 in Book 122 Page 256; thence South 55 degrees 27 minutes 16 seconds East along the said previous northeasterly railroad right of way line, being also the southwesterly right of way line of Northwest Highway (U.S. Route 14) recorded May 26, 1989 as document number 89240893, a distance of 50.46 feet; thence South 22 degrees 46 minutes 36 seconds West along a northwesterly right of way line of said Northwest Highway (U.S. Route 14), a distance of 57.29 feet (57.16 feet, recorded); thence North 50 degrees 59 minutes 10 seconds West, 73.48 feet to the point of beginning.

Said permanent easement containing 0.076 acre, more or less.
Said permanent easement to be used for highway purposes.

RECEIVED

Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : 0D60201P.E.-F
Sta. 13+508.010 To Sta. 13+531.510
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

AUG 12 1999

PLATS & LEGAL

Index No. 02-08-500-002 (pt.).

That part of the Illinois & Wisconsin Rail Road Company right of way situated in the Northwest Quarter of Section 8, Township 42 North, Range 10 East of the Third Principal Meridian, as conveyed by deed dated December 15, 1856 and recorded January 8, 1857 in Book 122 Page 256 and by deed recorded April 28, 1892 in Book 3762 Page 607, except that part conveyed for road purposes to Cook County according to document numbers 7992639 and 7341842, in Cook County, Illinois, described as follows:

Commencing at the intersection of the centerline of Lake Zurich Road, (also known as Ela Road), as indicated on Arthur T. McIntosh and Company's Parkview Acres, according to the plat thereof registered September 16, 1925 as Torrens document number 272402 with the southwesterly right of way line of Northwest Highway (U.S. Route 14) as condemned by Condemnation Case 89 L 50273; thence on an assumed bearing of South 55 degrees 27 minutes 16 seconds East along a line 42.14 feet (43.00 feet, recorded) normally distant Northeasterly of and parallel with the centerline of the main railroad line of the Illinois & Wisconsin Rail Road Company's right of way, being also the said southwesterly right of way line Northwest Highway (U.S. Route 14), a distance of 50.00 feet; thence North 46 degrees 59 minutes 00 seconds East along a southeasterly right of way line of Northwest Highway (U.S. Route 14) according to said condemnation case, a distance of 51.57 feet (51.50 feet, recorded) to the previous northeasterly railroad right of way line recorded January 8, 1857 in Book 122 Page 256; thence South 55 degrees 27 minutes 16 seconds East along the said previous northeasterly railroad right of way line, being also the southwesterly right of way line of Northwest Highway (U.S. Route 14) recorded May 26, 1989 as document number 89240893, a distance of 50.46 feet; thence South 22 degrees 46 minutes 36 seconds West along a northwesterly right of way line of said Northwest Highway (U.S. Route 14), a distance of 57.29 feet (57.16 feet, recorded); thence South 61 degrees 38 minutes 56 seconds East along the southwesterly right of way line of said Northwest Highway (U.S. Route 14), a distance of 175.64 feet to the point of beginning; thence North 23 degrees 27 minutes 08 seconds East along a southeasterly right of way line of said Northwest Highway (U.S. Route 14), a distance of 73.51 feet to the northeasterly railroad

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Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : OD60201P.E.-F
Sta. 13+508.010 To Sta. 13+531.510
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company.

Index No. 02-08-500-002 (pt.)

right of way line recorded April 28, 1892 in Book 3762 Page 607;
thence South 55 degrees 27 minutes 16 seconds East along the said
northeasterly railroad right of way line, a distance of 77.55 feet;
thence South 75 degrees 51 minutes 37 seconds West, 96.04 feet to
the point of beginning.

Said permanent easement containing 0.064 acre, more or less.
Said permanent easement to be used for highway purposes.

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PLATS & LEGAL

Route : F.A.P. 305 (U.S. Route 14)
Section: 70X-2-R & 70 HB-BR
County : Cook
Job No.: R-90-004-95
Parcel : 0D60201T.E.
Sta. 9+897.330 To Sta. 9+927.860
Sta. 13+624.640 To Sta. 13+722.132
Owner : Union Pacific Railroad Company,
who acquired title as the
Illinois & Wisconsin Rail Road
Company

Index No. 02-08-500-002(pt.)

That part of the Illinois & Wisconsin Rail Road Company right of way situated in the Northwest Quarter of Section 8, Township 42 North, Range 10 East of the Third Principal Meridian, as conveyed by deed dated December 15, 1856 and recorded January 8, 1857 in Book 122 Page 256 and by deed recorded April 28, 1892 in Book 3762 Page 607, except that part conveyed for road purposes to Cook County according to document numbers 7992639 and 7341842, in Cook County, Illinois, described as follows:

Commencing at the intersection of the northeasterly railroad right of way line recorded April 28, 1892 in Book 3762 Page 607 with the northwesterly right of way line of Dundee Road (Illinois Route 68); thence on an assumed bearing of South 66 degrees 07 minutes 48 seconds West along the northwesterly right of way line of Dundee Road (Illinois Route 68), a distance of 22.64 feet to the point of beginning; thence North 17 degrees 25 minutes 52 seconds West, a distance of 32.46 feet to the northeasterly railroad right of way line recorded April 28, 1892 in Book 3762 Page 607; thence North 54 degrees 22 minutes 20 seconds West along the said northeasterly railroad right of way line, a distance of 53.81 feet; thence northwesterly 32.46 feet along the said northeasterly railroad right of way line on a curve to the right having a radius of 6818.50 feet, the chord of said curve bears North 55 degrees 35 minutes 29 seconds West, 32.46 feet; thence North 55 degrees 27 minutes 16 seconds West along the said northeasterly railroad right of way line, a distance of 213.87 feet; thence South 33 degrees 48 minutes 27 seconds East, 292.81 feet to the northwesterly right of way line of Dundee Road (Illinois Route 68); thence North 66 degrees 07 minutes 48 seconds East along the northwesterly right of way line of Dundee Road (Illinois Route 68), a distance of 102.22 feet to the point of beginning.

Said temporary easement containing 0.410 acre, more or less.
Said temporary easement to be used for grading purposes.

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